

providing a single-sheet construction printable sheet having a plurality of weakened separation lines formed thereon which divide the single-sheet construction printable sheet into a plurality of connected sheet portions, at least some of the separation lines are substantial-cut lines extending through a substantial portion of a thickness of the single-sheet construction printable sheet and thereby defining thin uncut intact sheet portions;

passing the single-sheet construction printable sheet through a printer or copier and thereby printing indicia on the sheet portions; and

after said printing, separating the sheet portions along the separation lines to form a plurality of individual printed media;

wherein the thin uncut intact sheet portions collectively comprise the sole means for keeping the sheet portions together during said passing step and thereby maintain the integrity of the single-sheet construction printable sheet until said separating step.

Remarks

In the above-mentioned Office Action, claims 76-84 were rejected under Section 112, first paragraph, as based on a disclosure which is allegedly not enabling, and claims 85-100 were objected as being dependent upon a rejected based claims but would be allowable if rewritten in independent form. Responsive thereto, independent claim 76 has been amended to include claim 77, claim 77 accordingly canceled, and new claims 101-104 added.

New independent claims 101, 102 and 103 are simply old allowable dependent claims 93, 97 and 98, respectively, rewritten in independent format. New independent claim 104 is similar to independent claim 77 but with the "providing" and "forming" steps combined in a single "providing" step.

Applicant respectfully traverses the Section 112, first paragraph, rejection. The Examiner stated in his rejection that substantial-cut lines and through-cut lines are critical or essential to the practice of this invention. Applicant respectfully disagrees.

First, it is noted that claim 74 includes substantial-cut lines so the Examiner's rejection apparently is based on the fact that through-cut lines are not set forth in this claim.

Second, “in determining whether an unclaimed feature is critical, the entire disclosure must be considered. Broad language in the disclosure (including the Abstract) omitting an allegedly critical feature tends to rebut the argument of criticality.” In Re Goffe, 191 USPQ 429, 432 (CCPA 1976). On this issue, the Examiner’s attention is directed to the claims of the application as originally filed, the claims forming part of the entire disclosure.

None of the original independent claims includes a through-cut line (ipsissimus verbis) claim element. Specifically, independent claim 1 includes substantial-cut lines and weakened separation lines; independent claim 12 includes elongate substantial cut line and “separating along the elongate substantial cut line, from the remainder of the sheet and from each other...; independent claim 41 includes an elongate substantial-cut line which defines a part of a perimeter of the portion, and “the portions can be each be easily and cleanly separated along the substantial cut line and the rest of the perimeters to form individual printed media”; and independent claim 50 includes at least one substantial-cut line and at least one weakened separation line. The fact that not only one but all of the original independent claims do not include the through-cut line species clearly rebuts any argument of criticality thereof.

Therefore, it is clear that the through-cut line is not a critical feature.

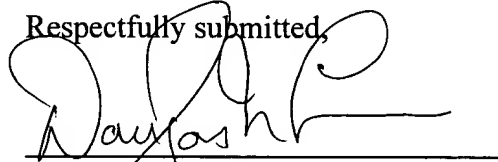
Third, the through-cut line is a species, albeit a preferred species, of the invention wherein the generic invention is a separation line or a weakened separation line. This is clear in that many of the original dependent claims include the through-cut line. For example, claim 52 states that “wherein said separation line comprises an elongate through-cut line cut all the way through said sheet.” In Re Goffe at page 432 also stated that “features that are merely preferred are not critical.”

Accordingly, withdrawal of the Section 112 rejections and issuance of the Notice of Allowance at an early date are in order and are respectfully respected. If there are any remaining issues, the Examiner is encouraged to telephone counsel to seek to resolve them.

If any fees are due with this Amendment, the Commissioner is authorized to charge them to Deposit Account Number 16-2230.

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Respectfully submitted,



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